

United States District Court
Southern District of Texas**ENTERED**

January 04, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**GAURAV TANEJA, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPLIED OPTOELECTRONICS, INC.,
THOMPSON LIN, and STEFAN MURRY,

Defendants.

Case No. 4:18-cv-03544

Judge Sim Lake

CLASS ACTION

DAVIN POKOIK, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPLIED OPTOELECTRONICS, INC.,
CHIH-HSIANG LIN, and STEFAN J.
MURRY,

Defendants.

Case No. 4:18-cv-03722

Chief Judge Lee H. Rosenthal

CLASS ACTION

STEPHEN MCGRATH, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPLIED OPTOELECTRONICS, INC.,
CHIH-HSIANG LIN, and STEFAN J.
MURRY,

Defendants.

Case No. 4:18-cv-03914

Judge Sim Lake

CLASS ACTION

**[PROPOSED] ORDER GRANTING THE MOTION OF PUTATIVE CLASS MEMBER
MARK NAGLICH FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF,
AND APPROVAL OF HIS SELECTION OF COUNSEL
AND DENYING THE COMPETING MOTIONS**

Having considered the Motion of Putative Class Member Mark Naglich for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of his Selection of Counsel [ECF No. 8] (the “Naglich Motion”), the Motion of Rigo Caudill for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of Lead Counsel [ECF No. 12; withdrawn at ECF No. 22] (the “Caudill Motion”), the Motion of Robert Bernstein and Stanley Nugit for Consolidation, Appointment as Lead Plaintiff and Approval of Selection of Lead Counsel [ECF No. 7] (the “Bernstein and Nugit Motion”), the Motion of David Pokoik and Xiaoming Liang for Consolidation, Appointment as Lead Plaintiffs, and Approval of Counsel [ECF No. 9; ECF No. 24 (noticing non-opposition to the competing movants)] (the “Pokoik and Liang Motion”), and the Motion of Ronaldo Borgogni for Consolidation of Related Actions, Appointment as Lead Plaintiff, and Approval of Lead Counsel [ECF No. 4; ECF No. 23 (noticing non-opposition to the competing movants)] (the “Borgogni Motion”), and with good cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Caudill Motion, the Bernstein and Nugit Motion, the Pokoik and Liang Motion, and the Borgogni Motion are DENIED.
2. The Naglich Motion is GRANTED.
3. Under Federal Rule of Civil Procedure 42(a), the above-captioned securities class actions, and any subsequently filed or transferred actions that are related to the claims asserted in the above-captioned actions, are hereby consolidated under Lead Case No. 4:18-cv-03544. The consolidated action shall be captioned as *In re Applied Optoelectronics, Inc. Securities Litigation*.
4. Under 15 U.S.C. § 78u-4(a)(3)(B), Mark Naglich is appointed to serve as Lead Plaintiff in the consolidated action.

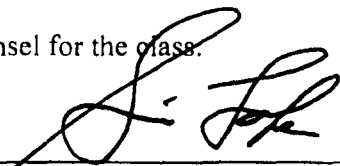
5. Kessler Topaz Meltzer & Check, LLP is appointed as Lead Counsel for the class.

Lead Counsel shall have the following responsibilities and duties:

- a. to brief and argue motions;
- b. to initiate and conduct discovery, including, without limitation, coordination of discovery with Defendants' counsel, the preparation of written interrogatories, requests for admissions, and requests for production of documents;
- c. to direct and coordinate the examination of witnesses in depositions;
- d. to act as spokesperson at pretrial conferences;
- e. to initiate and conduct any settlement negotiations with counsel for Defendants;
- f. to consult with and employ experts; and
- g. to perform such other duties as may be expressly authorized by further order of this Court.

6. Ajamie LLP is appointed as Liaison Counsel for the class.

DATED: JANUARY 4, 2019



THE HONORABLE SIM LAKE
UNITED STATES DISTRICT JUDGE